

ZONING BOARD OF APPEALS OF RIDGEFIELD
MINUTES OF MEETING

August 1, 2022

NOTE: These minutes are intended as a rough outline of the web-based Zoom proceedings of the Board of Appeals on Zoning of Ridgefield held on August 1, 2022. Copies of recordings of the meeting may be obtained from the Administrator.

The Chairman called the web-based special meeting to order at approximately 7:00 p.m. Sitting on the Board for the evening were: Carson Fincham (Chair), Terry Bearden-Rettger, Sky Cole, Mark Seavy, Joseph Pastore and Robert Byrnes.

ROTATION OF ALTERNATES

The rotation for the meeting was first, Mr. Lockwood; second, Mr. Stenko; third Mr. Byrnes. Ms. Bearden-Rettger was unable to attend the first hearing on May 4 for application 22-012 and asked Mr. Byrnes to sit for her. Mr. Byrnes will continue to hear the application noted below. Thus, the rotation for the next meeting will be: first, Mr. Lockwood; second, Mr. Stenko; third Mr. Brynes.

CONTINUED APPLICATIONS

Application 22-013

Ashlea Andrews, agent for Ridgefield Station
55 Old Quarry Road

This application was heard by Mr. Fincham, Mr. Cole, Mr. Seavy, Mr. Pastore and Mr. Byrnes.

Attorney Robert Jewell again represented the applicants at this hearing. Mr. Jewell again stated the application hardships, including the topography of Old Quarry Road with its steep hill. Mr. Jewell also stated that Old Quarry was the steepest road in the commercial zone and all Town vehicles and school buses used the road daily. A sign variance was needed because the signage allowed under the regulations was too small for the road and needed to be seen especially traveling north downhill. Mr. Jewell stated that a sidewalk bordering Old Quarry Road needed to be built during original construction under the B2 zoning regulation, along with a guardrail and a fence against the sidewalk to meet building code. Therefore, hardship was not self-created by the applicants. Mr. Jewell stated Ridgefield Station was indeed a healthcare facility with up to 90 residents and employs medical professionals. Many residents and visitors are older drivers with slower reflexes and poorer eyesight. He also stated that after discussing different options with the zoning enforcement officer, the facility would still have issues with limited visibility on other types of signage. He confirmed with Town engineers and project engineers that the fence along the sidewalk was required. Overall, only 4ft more on each side of the sign was requested, for a total of 8 additional ft., a minimal request. Also, landscaping that was planted during construction of the facility would hopefully block the view of the sign from the neighboring property in a few years.

Katy Raneri of 66 Grove Street appeared. She asked what data the applicant had that showed visitors were missing the driveway entrance. Mr. Jewell replied that many visitors complained to the staff at Ridgefield Station and in turn, Ridgefield Station applied for a sign variance. Steve Zemo who owns the neighboring 35 Old Quarry Road property appeared, He stated to the Board that many vehicles pull into his property to turn around and he appreciates the applicants trying to alleviate the issue with a larger sign. Joseph and Lisa Ternullo also of 66 Grove Street appeared. They referred to their July 12 letter to the Board that questioned if the height of the fence was actually required under the building code. Regarding the topography of Old Quarry Road, Mr. Ternullo asked if the zoning regulations for the area should be changed to reflect the topography. The Ternullo's also stated concerns that all Town medical facilities would now want larger

signs. Other residents of the neighboring property at 66 Grove Street appeared and questioned if the applicants would repeatedly ask for larger signage and other additions to the facility. The Board replied that anything not allowed under the zoning regulations would require the applicants to file for another variance.

A discussion was held regarding the applicants offer to condition the variance so that a building sign would be added. Mr. Jewell stated the applicants would agree to give up a future building sign in exchange for the additional feet to the freestanding sign, as long as property remained a senior living facility. The applicants would also agree to maintain the landscaping buffer between the two properties.

The hearing was closed to Board discussion and concluded. A decision can be found at the end of these minutes.

Application 22-015

Thomas Montanari, d/b/a 58 Prospect Ridge LLC
58 Prospect Ridge and 62 East Ridge

This application was heard by Mr. Fincham, Ms. Bearden-Rettger, Mr. Cole, Mr. Seavy, and Mr. Pastore.

Mr. Montanari appeared for his application. He told the Board his family owned the properties for 76 years. 62 East Ridge was subdivided in 1986 creating neighboring 58 Prospect Ridge. The application was for several variances to allow 5 houses on the lot, 58 Prospect Ridge. The lot was 1.61 acres in the RA zone. Mr. Montanari listed the hardship as the property being surrounded by high density lots. The original home on 62 East Ridge and former barn, now a residence on 58 Prospect Ridge, would remain. The setback variance request only pertains to the former barn that was an existing non conformity. Mr. Montanari said the houses would be accessed thru 62 East Ridge and 58 Prospect Ridge. Ms. Bearden-Rettger stated that if the house on 62 East Ridge was included, the accessway would include 6 houses. The zoning regulation states only 5 houses can be served by an accessway. Ms. Bearden-Rettger also asked if the accessway would be continuous. The administrator would clarify if the correct variances were being requested with the zoning officer after the hearing.

A variance for number of garage spaces was requested. Mr. Fincham asked if the surrounding dense properties all have garage spaces for the individual units. Mr. Montannari replied that garage spaces would be wanted for houses with that amount of proposed square footage. Ms. Bearden-Rettger asked in number of garage spaces should be decided under a special permit rather than a variance. The administrator would check with the zoning official. Mr. Pastore stated that the ZBA was asked to grant minimal relief in variance applications. He does not know how the Board could justify granting these variances. Mr. Fincham agreed. Mr. Montanari stated that most of the surrounding properties are 8-30G lots. Mr. Pastore stated that the ZBA cannot grant these variances to avoid an 8-30G project, which would have to be applied for thru planning and zoning department.

Steve Zemo who owns some of the surrounding properties appeared. He stated he spoke with Mr. Montannari about the proposed project and had concerns about potential flooding issues and drainage. Debra Franceschini appeared and stated she believed the application was basically an 8-30G application.

No one else appeared to speak for or against the application. The hearing was postponed until the next ZBA meeting on September 7 to allow clarification on specific variances with the zoning enforcement officer.

DECISION

Application 22-013

Ashlea Andrews, agent for Ridgefield Station
55 Old Quarry Road

VOTED: To Grant, a variance of Section 7.2.E.8., signage, to allow a 32 sq. ft, two-side sign; for property in the B2 zone located at 55 Old Quarry Road.

VOTE: To Grant: 4 To Deny: 1

In favor
Byrnes, Cole,
Pastore, Seavy

Opposed
Fincham

CONDITIONS:

This action is subject to the following conditions that are an integral and essential part of the decision. Without these conditions, the variance would not have been granted:

1. Though a wall sign is also allowed under the zoning regulations, no wall signage will be added to the building façade as long as approved sign is existing on the property.
2. The applicant shall continue to maintain shrubbery used as a buffer to the adjacent neighbor as described in the Special Permit dated May 12, 2017. This maintenance shall continue as long as approved sign is existing on the property.
3. The sign shall be located exactly as shown on plans and drawings presented to the Board during the hearing and made part of this decision, and the plans submitted for zoning approval shall be the same as those submitted and approved with the application for variance.

The Board voted this action for the following reasons:

1. The steep topography of Old Quarry Road, combined with the fence and sidewalk requirement imposed under the building code and zoning regulations, creates an unusual hardship that justifies the grant of a variance in the case. The increase in signage is necessary for the safety, health and welfare of citizens looking for the facility.
2. The proposal is in harmony with the general scheme of development in the area and the Town's Plan of Conservation and Development and will have no negative impact on surrounding properties.

As there was no further business before the Board, the Chairman adjourned the hearing at approximately 9:15 pm.

Respectfully submitted,
Kelly Ryan
Administrator